IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.665 OF 2005

Hardevsingh Jogindersing Faguda ... Petitioner

versus

The State of Maharashtra & anr. ... Respondents

...

Mr.R.D. Suryawanshi, for the Petitioner.

Mr.V.B. Konde Deshmukh, A.P.P., for the Respondents.

...

CORAM : A.M.KHANWILKAR,J.

17th March 2005

P.C.:

. Heard Counsel for the Petitioner. This petition can be disposed of by giving limited protection to the Petitioner to appear before the concerned Court and apply for cancellation of non-bailable warrants in terms of recent decision of our High Court (Justice Bhosale). Counsel for the Petitioner, however, submits that the

Petitioner met with an accident and has been presently advised strict bed rest for a period of 12 weeks from 13th January 2005. There is nothing on record to show that the Petitioner is incapable of moving at all. The fact stated in the medical certificates even if accepted at its face value only records that the Petitioner has been advised strict bed rest for 12 weeks. 8 weeks are already over. In that sense, it can be safely assumed that the Petitioner is in a position to move and appear before the appropriate Court. Accordingly, this petition is disposed of by giving limited protection to the Petitioner to appear before the appropriate Court within one week from today and seek necessary relief as may be advised, failing which it will be open to the authorities to proceed against the Petitioner in accordance with law.

. Parties to act on the authenticated copy of this order.

(A.M.KHANWILKAR,J.)